

Jason A. McNeill (9711)
mcneill@mvmlegal.com
Eric K. Schnibbe (8463)
schnibbe@mvmlegal.com
MCNEILL | VON MAACK
236 South 300 East
Salt Lake City, Utah 84111
Telephone: 801.823.6464

Jessica B. Magee (*admitted pro hac vice*)
jessica.magee@hklaw.com
Andrew W. Balthazor (*admitted pro hac vice*)
andrew.balthazor@hklaw.com
HOLLAND & KNIGHT
1722 Routh Street, Suite 1500
Dallas, Texas 75201
Telephone: 214.969.1700

Attorneys for Josias N. Dewey, Court-Appointed
Temporary Receiver

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, NORTHERN DIVISION**

**SECURITIES AND EXCHANGE
COMMISSION,**
Plaintiff,

v.
**DIGITAL LICENSING INC. (d/b/a
“DEBT Box”), a Wyoming corporation;
JASON R. ANDERSON, an individual;
JACOB S. ANDERSON, an individual;
SCHAD E. BRANNON, an individual;
ROYDON B. NELSON, an individual;
JAMES E. FRANKLIN, an individual;
WESTERN OIL EXPLORATION
COMPANY, INC., a Nevada corporation;
RYAN BOWEN, an individual; IX
GLOBAL, LLC, a Utah limited liability
company; JOSEPH A. MARTINEZ, an
individual; BENJAMIN F. DANIELS, an
individual; MARK W. SCHULER, an
individual; B & B INVESTMENT
GROUP, LLC (d/b/a “CORE 1
CRYPTO”), a Utah limited liability
company; TRAVIS A. FLAHERTY, an
individual; ALTON O. PARKER, an
individual; BW HOLDINGS, LLC (d/b/a
the “FAIR PROJECT”), a Utah limited
liability company; BRENDAN J.
STANGIS, an individual; and MATTHEW
D. FRITZSCHE, an individual,**

**RECEIVER’S MOTION FOR LEAVE TO
FILE OVERLENGTH FIRST AND
FINAL FEE APPLICATION**

Case No. 2:23-cv-00482-RJS
Judge Robert J. Shelby
Magistrate Judge Dustin B. Pead

Defendants,

ARCHER DRILLING, LLC, a Wyoming limited liability company; BUSINESS FUNDING SOLUTIONS, LLC, a Utah limited liability company; BLOX LENDING, LLC, a Utah limited liability company; CALMFRITZ HOLDINGS, LLC, a Utah limited liability company; CALMES & CO, INC., a Utah corporation; FLAHERTY ENTERPRISES, LLC, an Arizona limited liability company; IX VENTURES FZCO, a United Arab Emirates company; PURDY OIL, LLC, a Nebraska limited liability company; THE GOLD COLLECTIVE LLC, a Utah limited liability company; and UIU HOLDINGS, LLC, a Delaware limited liability company,

Relief Defendants.

Pursuant to DUCivR 7-1(a)(7), Josias N. Dewey, the Court Appointed Temporary Receiver (the “Receiver”) of Digital Licensing, Inc. and its subsidiaries and affiliates, through counsel MCNEILL VON MAACK, respectfully submits this Motion For Leave to File Overlength First and Final Fee Application (“Motion”).

On March 18, 2024, the Court entered a Memorandum Decision and Order (ECF No. 275, “Fee Payment Order”) directing the Receiver to submit a petition setting forth all attorneys’ fees and legal costs arising from the TRO and appointment of the Receiver within thirty (30) days thereof, or April 17, 2024 (“Application”).

Under the local rules, the default limitation for a motion for attorneys fees is 10 pages. *See* DUCivR 7-1(a)(4)(D), 54-2(a)(B)(i). Plaintiffs seek leave to file an Application that is 11 pages overlength, for a total of 21 pages.

There is good cause for the Court to permit the additional pages in Receiver’s Application. *First*, a summary of the Receivership Team’s work (including four different service providers) and

the fees and costs—as well as discounts applied—thereto require more than 10 pages to adequately provide the Court with sufficient detail upon which to evaluate the Application.

Second, the additional pages are necessary for the Receiver to consider and address relevant legal authority. Namely, the Court’s Fee Payment Order stated that it “will ensure the reasonableness of the final amount by directing Defendants and Receiver submit a fee request and evaluating those requests in accordance with methodologies approved by the Tenth Circuit.” Fee Payment Order at 76 (emphasis added). In light of the context of this Application and procedural history in this matter, there does not appear to be binding legal authority directing a specific methodology to apply. Accordingly, the Receiver’s Application summarizes and analyzes various Tenth Circuit methodologies relevant to attorneys’ fees plus those generally applicable to the receivership context—each requiring additional pages in support of the Application.

In sum, the Receiver respectfully requests leave to file his Application with the 11 additional pages requested, for a total of 21 pages. A proposed order granting this Motion is submitted herewith.

DATED this 16th day of April, 2024.

MCNEILL | VON MAACK

/s/ Jason A. McNeill

Jason A. McNeill
Eric K. Schnibbe

HOLLAND & KNIGHT

Jessica B. Magee
Andrew W. Balthazor

*Attorneys for Josias N. Dewey, Court-Appointed
Temporary Receiver*

CERTIFICATE OF SERVICE

I hereby certify that I am employed by the law firm of MCNEILL VON MAACK and that pursuant to Rule 5(b), Federal Rules of Civil Procedure, a true and correct copy of the foregoing **RECEIVER'S MOTION FOR LEAVE TO FILE OVERLENGTH FIRST AND FINAL FEE APPLICATION** was delivered to counsel of record this 16th day of April, 2024, by filing of the same through the Court's CM/ECF System.

- Hand Delivery
- Depositing the same in the U.S. Mail, postage prepaid
- Electronic Mail
- Submission to the U.S. District Court Electronic Case Filing System

/s/ Camille Coley
